### QUEER DAMAGE SUIT IS TARGET FOR DAME RUMOR HASSING

Ogden Man Wants \$40,000 REPORTED THAT GEN. JOSEPH National Guard Captain Faces From The Herald.

MR. SHIELLS' COMPLAINT

HERALD PUBLISHED DOCUMENT FILED IN COURT.

This Document Charged Shiells With an Estate, Which Was Not In- se Taken Seriously.

F. A. Shiells, a resident of Ogden, who is one of the executors of the will of the late Robert J. Hill, is charged of the Hill estate, the sum of \$1,072.19, for which proper accounting was not for which proper accounting was not first having asked the permission of Mrs. Childs to do so," he said. "At the with collecting and receiving, on behalf tory of the estate filed by the executors. This charge was made in a document regularly filed in the district court at Ogden last Tuesday, the substance of which was published by The Herald and other newspapers. Shiells now all the control of the tory of the estate filed by the executors. and other newspapers. Shiells now alleges that the publication of this court document by The Herald has damaged him to the amount of \$40,000, and in a suit instituted at Ogden demands judgment for that sum. It does not appear that he considers himself damaged in any amount through the publication of that he considers himself damaged in any amount through the publication of

that he considers himself damage.

Any amount through the publication of the same facts by other newspapers.

The document for the publication of which Shiells thinks The Herald should pay him the small sum of \$40,000 was filed by Thomas Maloney and Richards & Allison, attorneys for certain devisees named in the will of the late Robert J. Hill. It was a notice of a motion to set aside the appraisement and inventory filed by the executors of the will, on the ground that it was deficient, erreneous and insufficient, and to require them to file a supplementary appraisement and inventory.

In order to show that the document in part of the will on the ground that it was deficient, erreneous and insufficient, and the reply, "though I believe that Mrs. Childs will at once give your questions answer."

No statement could be obtained from Mrs. Childs today. General Wheeler admitted, however, that at a luncheon in the direction of the Hot Springs. There had been a recent election of officers in the company, and according to custom the new officers stood treat.

In order to show that the document in the direction of profession that the engagement and inventory.

The document for the publication of the any further reticence would be taken as a confession that the engagement would soon be announced.

"You will have to draw your own conclusions," was the reply, "though I believe that Mrs. Childs will at once give your questions answer."

No statement could be obtained from Mrs. Childs today. General Wheeler admitted, however, that at a luncheon in the direction of the Hot Springs. There had been a recent election of officers in the company, and according to custom the new officers in the case seem to be find the direction of the fact of the provided by their friends upon their rumored that any further reticence would be taken as a confession that the engagement. The same of the angent and inventory the provided by the executors of the provided by the executors of the provided by the executors of the provided by the executors

did, in fact and in truth, contain all the allegations stated by The Herald in the publication complained of, which publication Shiells declares was "false and defamatory," a full and true copy of the notice is now published. It follows:

of the notice is now published. It follows:

In the district court of the Second judicial district, county of Weber and state of Utah. In the matter of the estate of Robert J. Hill, deceased. Exceptions to appraisment and inventory. To Rev. William E. Mason and Frederick A. Shiells, executors of the last will and testament of Robert J. Hill, deceased, and George McCormick, esq., their attorney.

Take notice that on the 1st day of May, 1900, at 10 o'clock a. m. of said day, or as soon thereafter as counsel can be heard, we will move the above named court at the court room thereof, in Ogden, Utah, to vacate and set aside the appraisement and inventory heretofore filed by said executors and appraisers and to require them to file a supplementary appraisement and inventory of said estate on the ground and for the reason that said inventory and appraisement are deficient and erroneous and insufficient and do not show the assets of said estate in the following particulars, to-wit:

That the real estate devised to the undersigned and known as lot 3, in block 8, plat B, of Ogden City survey, is appraised at a sum far in excess of its actual value and at a sum that is excessive and exorbitant, to-wit: At the sum of \$5,750, when the said property has been offered at \$4,000 and could not be sold therefor and is assessed at the sum of \$2,101.

They except to the sufficiency of the inventory filed in this court on the 17th day of March, 1900, and allege that the same is deficient on the following grounds, to-wit:

First-Said inventory fails to include the following stream of the court of the sum of \$2,101.

First-Said inventory fails to include ne following turns due the estate of the

for the year 1899, which has not been paid.

3-Money collected by said Shiells with which to pay state, county and municipal taxes for the year 1898, which have not been paid.

4-Money collected by said Shiells with which to pay state, county and municipal taxes for 1899, which have not been paid.

13-Money paid to said Shiells on sale of personal property of said testator on the 29th day of June, 1898.

J-Money collected by said Shiells for rent of house and lot, "Bungalow," from 1st day of July, 1898, to 1st day of July, 1899.... K-Money paid to said Shiells by Mrs. Hurst for furniture sold, the property of the testator, about

L-Money admitted by said Shiells in his statement sent to the testator as due him, said tes-M-Rent of house and lot from the

M—Rent of house and lot from the
7th day of July, 18:9, to the 7th
day of April, 1900, at the rate of
825 per month, due from said
Shiells
N—An account the said estate
from G. G. Griffith
O—An acount due said estate from
George Driver

Not Taken Seriously.

The suit is not taken seriously by those who know the circumstances and the law of the case. This suit is can-didly admitted by the closest advisers of Mr. Shiells in the matter to be mere-ly a method of "smoking out" certain of Mr. Shiells' enemies. They do not explain in detail just how this vicari-

ous damage suit system is expected to The \$40,000 has not yet been paid, and The Herald will do business as usual-85 cents per month delivered at your own door—semi-weekly, \$1.50 per year.

Cholera In India.

London, April 27 .- A special dispatch from Bombay says: "The cholera is mery trust, that will endeavor to in-raging fearfully at the great camp of lluence the price of grain by regulating Godra, where thousands of famine-stricken natives are receiving relief. stricken natives are receiving relief. One hundred and fifty corpses were removed yesterday, but 100 others had to be left because it was impossible to procure bearers.'

Grand Opera For London. New York, April 26 .- Maurice Grau

and many members of his company sailed today on the French liner La Touraine, They are en route to London, where the company will soon open in grand opera. Want a Short Creed.

Lima, O., April 26.-The Lima pres

bytery, at a special meeting, decided unanimously to ask the general assembly to adopt a short, comprehensive creed, stating the belief and the teachings of the Presbyterian church. The presbytery embraces thirty-three churches, and is the first in this synod

WHEELER WILL MARRY.

The Widow of the Late George W. Childs, It Is Said, Will Be the Fortunate Bride.

New York, April 26.A special to the Herald from Washington says: Persistent rumor again couples the names of General Joseph Wheeler and Mrs. Receiving \$1,072 as Executor of George W. Childs, and this time there eems to be good reason to believe an cluded In the Assets-Suit Is Not announcement of their engagement to marry will be made. When Mrs. Childs was asked for a confirmation or denial of the rumor, she smiled and referred the questioner to General Wheeler. The gallant veteran also smiled when asked | O. H. Hassing of company B of the N. about it.

ame time, I will admit that this rumor

eral Wheeler now says they were unfortunate and untimely.

Shortly after the death of Mr. George W. Childs, Mrs. Childs erected a residence on K street, which ranks as one of the most palatial homes of the national capital. It is of Roman architecture. It is superbly furnished, and has been the scene of many brilliant functions. General Wheeler has apartments at the Arlington. It is probable he will, in the near future, be made a he will, in the near future, be made a campaign.

### SINCLAIR ON THE STAND.

Continues His Testimony In the Coeur d'Alene Case.

Washington, April 26.-The cross-examination of Bartlett Sinclair continued before the Coepr d'Alene investigating committee today, without developing notable incidents. Attorney Robertson closely questioned the witness as to closely questioned the witness as to the legality of the dismissal of the county commissioners, the enforcement of the permit system and the other processes adopted by Mr. Sinclair at the scene of the disturbance.

throughout the cross-examination, as the witness' answers were, in the main, a flat contradiction of the statements embodied in the attorney's question. At no time, however, was there any ex-citement or signs of an encounter. In regard to a published interview. 15 00 that President McKinley had told him he fully approved of what had been done by the governor and civil authorities in the Coeur d'Alenes, the witness eaid the interview was erroneous, and he had not attributed such statements

### MURDER AT PORTLAND.

to the president.

Body of Unknown Man Found Floating In Willamette River. Portland, Ore., April 26.-The body of an

inknown man was found floating in the

unknown man was found floating in the river today in front of this city. Around the neck was twisted a wire to which was attached two iron brake shoes taken from a freight car and weighing about fifty pounds.

The police believed that the body was that of William Brannan of Ellensburg, N. Y., who had been reported missing, but this evening wired that he was safe in Seattle. The head of the corpse was badly crushed in, indicating that the man had been murdered and then thrown into the river with the weights attached. Up to a late hour tonight the body had not been identified.

### BRYAN AT HIS HOME.

49 36 Will Make His Headquarters at Lincoln Until After Convention.

Lincoln, Neb., April 26.-William J. Bryan returned to his Lincoln home today, and with the exception of a week's campaign in Michigan and northern Ohio, beginning next Monday, will re-main here almost uninterruptedly until

April 24, 1900. THOMAS MALONEY, RICHARDS & ALLISON.

Attorneys for certain devisees named in the will of deceased.
To the executors of the last will and testament of Robert J. Hill, deceased, and to George McCormick, their attorney.

main here almost uninterruptedly until after the Democratic national convention.

Mr. Bryan said this period of rest and quiet was not necessitated by his state of health, which was excellent, but was in pursuance of a programme mapped out some months ago. He said mapped out some months ago. He said he saw no reason to change a plan perfected some time since, and that he would not attend the Kansas City con-

### KNIGHTS OF THE SOIL.

New Organization of Farmers Is Formed In Kansas.

vention.

Abilene, Kan., April 26 .- The first odge in Kansas of a new farmers' organization, to be known as "The Knights of the Soil," was organized here today, with Samuel Landis as delegates from Alabama to vote for him

throughout the state, and it is intended that the whole shall finally form a far-

### QUEEN IN ENGLAND.

Victoria Returns Home, After Her Visit In Ireland.

London, April 26.-Queen Victoria arived at Holyhead at 6:30 p. m. The hannel fleet fired a royal salute as her majesty's yacht anchored. as profusely decorated, and this even ing there was a general illumination of the town and harbor. The channel fleet

proceeded to Milford haven.

The queen and her suite dined aboard the yacht after the anchoring had been reached. They will remain on board the vessel until 10:30 o'clock tomorrow morning, when the party will take a train for Windsor.

In Interest of Shafter.

Washington, April 26.-Senator Burrows

## TRIAL HUMOR IS ONLY TRUTH

Court-Martial.

MUCH EVIDENCE TAKEN

WITNESSES ON BOTH SIDES EX-

Prosecution Represented By Benner

For three hours last night Captain G. U. was on trial before a courtmartial of high officers of the National Guard in the office of the judge advocate general, on the charge of being drunk and disorderly while in uniform. The specifications were made by Lieuwere three counts-First, that Captain Hassing was drunk in uniform; second, that he was seen drinking at a public bar with his men, and third, that he permitted his com-pany to become disorderly in a public

street and at a public bar. The court was made up of Brigadier General John Q. Cannon, Quartermas-ter General N. W. Clayton, Colonel M.

gagement. These congratulations were accepted without denial, though General Wheeler now says they were unished, and these were taken along on

Lieutenant Critchlow was the first vitness. He testified that he was at the Warm Springs on the day in question, that he met Captain Hassing on the hospital steps, that he saemed un-der the influence of liquor, that later he crossed to the saloon and heard noise and confusion in there, after hav-ing seen a number of the company B

and testified to the same facts. He considered Captain Hassing under the influence of liquor, but not too drunk to issue orders to his commant. He Hassing out; he did not see him drink, Tomorrow Mr. Sinclair will answer questions propounded by members of the committee. Attorney Robertson and the witness clashed rather sharply throughout the cross-evamination as armory

Captain Hassing Testifies.

however, was there any exor signs of an encounter, and to a published interview, clair was alleged to have said esident McKinley had told him y approved of what had been to make him a little groggy on his feet on Sunday. He told the story of the march and of the drinking, of how he went into the saloon with Colonel Trewick before his command got to Warm by the case against Mr.

Mr. McComas declared it was perfectly value, perfectly honest and fair. He held with Mr. Turley, that the senate had no right to investigate the action of the went into the saloon with Colonel Trewick before his command got to Warm
he refused to drink but presented to the committee against Mr. wick before his command got to Warm Springs, how he refused to drink but took a cigar. Later he permitted the men to drop out and some of them went back into the saloon, and he followed them in to order them out; he met a friend in there and talked with him for five minutes until General Burton called him out. He denied that he was drunk; that he drank anything in the saloon or that his men were dis-orderly. He maintained, too, that not one man in his command was drunk

on this occasion,
Following this Private Parry, the
man who was shot with the soap, testified; Private Stephen Mills testified,
Corporal Charles Smith testified, Private Niemon, Sergeant A. H. Lund and
Frank Moyle also testified. The testi Frank Moyle also testified. The testi-mony of these men showed that Col-onel Trewick invited the men into the onel Trewick invited the men into the saloon to drink, that he made them a little speech, that they cheered him, and that they drank with him. Some of the testimony, especially that of Mr. Moyle, gave Captain Hassing a splendid character, as did also his discharges from company K of the regulars, and of the N. C. U.

The case was summed up by the one

The case was summed up by the opposing counsel and then went to the court at a late hour in the night. The findings of the court will go to the governor for final decision, and will not be made public, it is thought, for two or three days. The impression at the close of the trial was that Captain Hassing would escape with a repri

### NAME STATE TICKET.

Democrats of Alabama Also Strongly Support Bryan.

Montgomery, Ala., April 26.-The egates to the Kansas City convention.

adopted a platform and adjourned. W. J. Samford of Lee was nominated for governor. Senator John T. Morgan, Frank S. White, A. H. Morrill and R. J. Lowe were named as delegates to the Kansas City convention.

The convention adopted a resolution endorsing W. J. Bryan and instructing head farmer."

for president. A second resolution inSimilar lodges are to be started structing the delegation to vote for the Chicago platform's reaffirmation

Governor Is Nominated.

Indianapolis, Ind., April 26.-After a contest that lasted from 9 o'clock until 3 in the afternoon Colonel Winfield Tay-lor Durbin of Anderson was nominated for governor by the Republican state convention today. The nomination was made on the seventh ballot, after Durbin had gradually drawn strength from the following of Griffiths, Hogate, Hag-gard, Posey and Dodge. Chief Joseph's Appeal.

Washington, April 26.-Chief Joseph of

Washington, April 25.—Chief Joseph of the Nez Perces Indians, was introduced to the secretary of the interior today by General Miles, by whom he was captured during the uprising of 1877. Chief Joseph asked if his band would be returned to their old reservation in Oregon. The secretary stated that the Indian bureau had made an adverse report on this petition, but he would personally investigate the subject.

Steel Plant Closed.

Columbus, O., April 26.-The local plant of the National Steel company Washington, April 26.—Senator Burrows introduced a bill in the senate today authorizing the president "to select from the retired list of the army an officer not above the rank of brigadier general who may have distinguished himself during the war with Spain in command of a separate army and to appoint him to be off I've made good money fly for things I did not reed.

Washington, April 26.—Senator Burrows plant of the National Steel company has been closed, under orders from the retired list of the army an officer not above the rank of brigadier general who may have distinguished himself, during the war with Spain in command of a separate army and to appoint him to be major general on the retired list." The bill is in the interest of General Shafter.

# SAYS LECTURER ELI PERKINS

Eli Perkins was at the Kenyon yesterday morning en route to Ogden to lecture. When asked what he was writing now, he said:

please the gurls is to be a solger or somethin' an' ware a yuneform. Yuneforms does ketch gurls,'

"But if a boi kant be ritch or hav' a Prompt Action On Part of Wester-

"What is humor?" he was asked.
"Well, sir." said Ell, "humor is truth.
Joel Chandler Harris' negro dialect is
humor. It is so true. The talk of little children, if given truthfully, is humor. The other day on the Union Pacific I heard two little children talking
and I caught their little sayings in
short hand.
"One said: 'What yo' doin' to do some
day, Eddy?"
"'Well,' said Eddy, his eyes rolling
deamly, Tse doin' to be a general and
marry a rich dirl."
"Bein' a general ain't no way to
"Little girls say humorous things,
too," added Eli. "One day our little
Ethel was in tears.
Nothing but trouble all
"What is humor?" he was asked.
"Uittle girls say humorous things,
too," added Eli. "One day our little
Ethel was in tears.
Nothing but trouble all
"What has happened now, Ethel?"
asked her sympathetic play fellow.
"Why, yesterday a little baby sister
arrived, and papa is out lecturing.
Mamma came yery near being gone,
too. I don't know what I should have
done if mamma hadn't been home to
take care of it."
"One day," continued Eli, "I heard a What is humor?" he was asked.

"O. everything. Politics, money, political economy—but wit and humor suit me best. And then, the people tire of politics, but they never tire of humor" but they never tire of humor."

"O. everything. Politics, money, political economy—but wit and humor he rich of have yuneform, said Johnny, thoughtfully, he'd better bee tuff. That's the cheepest way too ketch dirls. Tha likes cow boilt with big hats and pistols—gurls dur."

### JUSTICE M'MASTER WOULD SELL UNION PACIFIC OUT

Justice McMaster issued an execu-tion against the office of the Union Pa-cific Railroad company yesterday, which caused some worry for a few mo-

(Continued from Page 1.)

Justice McMaster says that there

## SCOTT FIGHTS FOR HIS SEAT REQUISITION FOR LARCENIST

too strongly characterized. It is a hor- RICH COUNTY SHERIFF GOING rible state of affairs. And yet we are told that the United States senate can-not examine into a fraud like that." Later he pointed out that at one point of the proceedings Mr. Scott needed just one more vote. "There are some very smart people in West Virginia," said he, "and they

went immediately to the bargain coun-Further along Mr. Pettus sharply criticised the action of the governor of West Virginia in entering into the case

in the interest of Mr. Scott.
"It makes me sick," said he, "that
the governor of a state should get down into the mud and dirt of a vile case like this. And from his action I should think they needed civil service in Char-

Mr. Pettus maintained that the case had not been clearly investigated by the privileges and elections committee. In conclusion Mr. Pettus moved that the report and resolution in the property and prope the report and resolution in the case of Mr. Scott be referred to the committee on privileges and elections with in-structions to investigate the case thoroughly.

Mr. Chandler Explains.

Mr. Chandler, chairman of the committee on privileges and elections, pre-his guilt to five different persons, and sented an explanation of the agreement that Sheriff Ward of Uinta county, Captain Hassing, at his own request, testified in his own behalf. He told of having been up four nights before the practice march on company busi-

> was without bottom or sides. Mr. Allen (Neb.) held that the United States senate could not review any of the actions of the West Virginia legsame position. The case then went over

Mr. Carter gave notice that he would try to get a vote upon the Alaskan civil code bill tomorrow. He had read a strong appeal from the Seattle chammerce for the early passage of the bill.

PASS POSTOFFICE BILL

Several Amendments Made Before It Goes Through the House. Washington, April 26.-After four

days of discussion the house today passed the postoffice appropriation bill. The attempt to strike out the \$196,000 for special mail facilities from New York to New Orleans, and from Kansas City to Newton, Kan., met the fate it has ever since the appropriation was placed in the bill in 1893. No one demanded a separate vote upon the amendment striking out the pneumatic tube provision, and the house by a large majority, stood by the amendment to give extra compensation to letter car-riers for work in excess of forty-eight hours a week, although the carriers were said by Mr. Cummings (N. Y.) to

be opposed to it.

The bill to increase the salary of the director of the census to \$7,500 and the sularies of supervisors of census by 2 per cent of the amount received by their enumerators, was passed. The final conference report on the Hawaiian Democratic state convention today government bill was presented, but not completed the state ticket, selected del-

# CHINA ON THE VERGE

(Continued from page 1.)

he will assume command of the imposing fleet which will then be as-sembled in our harbor. The foreign first stipulating that it should have ommunity is keen to note the contrast tween this impressive display and in his official capacity. between this impressive display and that of the day not long since, when the sole representative of the American navy in these waters was the old side-wheeler, Monocacy.

The naval maneuvers of the Japanese fleet are now progressing in the Indian sea, the original intention of having them take place in the Korean straits.

them take place in the Korean straits them take place in the Korean straits having been abandoned, it is said, out of consideration to Russian susceptibilities. No foreigners are allowed to witness them, but at their conclusion there is to be a grand review of the ships in the harbor of Kobe, and all who desire can have an opportunity of seeing the evidence of the immense scride which Japan has taken as a naval power since the close of the Chinese war. Chinese war.

GETS THE MOTOR.

New Mammoth.

In the case of the General Electric company vs. Theodore Bruback, receiver of the New Mammoth Mining company, Judge Cherry yesterday found the issues for the plaintiff. The electric company was suing for the possession of a motor furnished by them and valued at \$370, on which the defendant had only paid \$100. The plaintiff claimed title to the machine.

"Little girls say humorous things, oo," added Eli. "One day our little

ceived information that a herd of 400 cattle were to be driven up Parley's canyon yesterday morning from the south end of the county to the eastern range. He learned, too, that H. P. Peterson, Theodore Drage, Orson Drage and other herdsmen had declared their intention of violating the law forbidding the driving of stock through the canyon, and consequent pollution of

deamily, 'I'se doin' to be a general and the surly and sold with the surly and sold sold with the surly and the gurls and that's what the gurls and the gurls the canyon creek.

"'I know they do, mamma,' said Georgie, 'but the old hen—she allus goes with 'em.'"

ments. It looked for a time that the furniture and other effects of the company might be sold out under the hammer for a very small debt, payment of which was backward.

Mrs. Blanche Shelton had obtained judgment against Frank Norman, an Ruaho employee of the company, for \$40 some months ago, and a garnishment was issued against the company for the

## route for stock driving. The offending herdsmen could not plead ignorance of the law and the custom, but they promised to refrain from attempting to again run the gantlet, under pain of arrest and prose-

TO IDAHO AFTER BECKWITH.

Accused Man Said to Have Run Ten Head of Cattle Off to Market and PETITION TO DISCHARGE PARK Sold Them.

Sheriff D. S. Marshall of Rich county was in the city yesterday to obtain a requisition from Governor Wells upon the governor of Idaho for the delivery of Erwin W. Beckwith, a fugitive from justice, to the authorities of Rich cour ty for prosecution on a charge of grand larceny. Armed with the necessary ex-tradition papers, Sheriff Marshall left

tradition papers, Sheriff Marshall left for Idaho last evening.

The charge upon which Beckwith is detained at Montpelier is that while acting as foreman of the Beckwith Land & Cattle company on May 10, 1899, he ran off from the company's ranch in Rich county ten head of beef dattle, valued at \$300, and shipped them lius McLaughlin, deceased, to hav David C. McLaughlin render a final ac count as receiver of the Park City bank, showing the assets that have come into his hands and the liabilities away to market. It is alleged also in the affidavit accompanying the requisition that the accused has confessed then and there had him arrested and held for return to Utah. Beckwith will be taken before Jus-

tice Snowhall at Randolph on his return and be arraigned. FARMERS WILL BE HURT.

Must Pay Twice For Their Land and

Water. John E. Dooley and David Evans, islature—even the election of a United States senator and Mr. Teller took the River Water company, were seen yeswho are heavily interested in the Bear terday in regard to the new contracts much of required of the farmers in that secin value. tion for the use of water from the canal: They would have but little to say in the matter. The circular lettersent to the farmers gives their side of the case. That circular says in part: "The United States court has expressly decided that all contracts entered into by the parties who formerly operated the canal were subject to Garland's lien and are therefore not binding on the Bear River Water company." at the First Presbyterian church this evening, with the following programme:

The new company will not recognize he old contracts, but will require each armer to make a new contract agreeing to pay \$15 per acre for their landered them pay for their water rights ust as before. They must look to the lid company for relief for any thing hey may have paid under the old company will make to allowance whatever for this.

It is thought that 13,000 acres will thus the old contracts, but will require each farmer to make a new contract agreeand then pay for their water rights just as before. They must look to the old company for relief for any thing they may have paid under the old on tracts. The new company will make any allowance whatever for this. no allowance whatever for this.

have to be paid for the second time or those who contracted for this land must now give it up. It is not known how much was paid on the land by the present holders as most of them bought on time, but the new order will work great hardship on a great many good people the very best that can be made people the very best that can be made of it, and a large number will lose their

hard earnings. BID ON WATERWORKS. City of Ogden Makes an Offer For

Property.

Another bid was given in vesterday for the Ogden waterworks system. This was the bid of Ogden City, provided for by the resolutions passed last Monday night by the council, and signed by the mayor. It offers \$350,000 for the svstem, all litigation to be called off. 'The bid was offered to the master in chancery of the United States court, but was by him referred to Receiver Wea-

Master in Chancery F. H. Lewis informed those interested that he merely had jurisdiction to hear matters per-taining to the first bid, that of Messrs. Eccles, Dee and Spencer, of \$400,000. All other bids must first go before the receiver, who will report them to the

been addressed directly to the receiver

BANKRUPTCY CASES. Two Petitions Filed In United States

Court Yesterday.

Two bankruptcy petitions were filed in the United States court late yesterday afternoon. One was by Leon Armer of Eureka, who ran into debt in the conduct of a clothing store to the amount of \$1,887.11, all of which is un-General Electric Company Wins From secured. He has assets to the amount

## TURNED THE CATTLE AWAY BIG

HERDSMEN NOT ALLOWED TO President Snow Receives a Wel-ENTER PARLEY'S.

vents Pollution.

Late Wednesday night Land and

Water Commissioner Westerfield re-

the sneep and cattle trail up Emigra-tion canyon and over, Little mountain,

kept in repair by the city, is the proper

who attempts to drive stock over the

WANT M'LAUGHLIN REMOVED

CITY BANK RECEIVER.

of Creditors.

It Is Claimed That He Is Not Look-

A petition was filed in the district court yesterday by Edward McLaugh, lin, as executor of the will of Corne-

of the bank, and that he be required to turn over all moneys to be applied on the claims of the creditors of the

bank, and be discharged.

The petition sets forth that on Aug. 9,

ENDEAVOR CONVENTION.

The First Session Will Be Held

The first session of the State Christian Endeavor association will be held

Tonight.

ing Properly After the Interests

come Message. WORTH MANY DOLLARS field and Patrolman Young Pre-

Assured.

COUNTRY HAD BEEN DRY TWO

· YEARS. Precipitation Means That the Usual Dread of the Hot Summer Months

Will Be In a Measure Dispelled-

Goods Crops of All Kinds Are Now

Prompt action was necessary, and President Snow received yesterday Commissioner Westerfield sent word what he terms one of the most welby telephone early yesterday morning to Patrolman Phineas Young to be on the lookout for the trespassing herd. The patrolman made a quick ride down to the mouth of the canyon and arrived there just in time to stop the cattle from getting as far as the con-

duit reservoir.

A sharp argument ensued between the herdsmen and the canyon officer, but the latter was determined, remarking that he did not care if there were ing that he did not care if there were but the latter was determined, remarking that he did not care if there were forty of them, they could not drive their cattle through Parley's canyon unless they walked over his dead In the meantime Commissioner Wes-

In the meantine commission, and, the great region is to sain terfield had heard of the situation, and, for the time being at least accompanied by three policemen, he hurried to the scene. But already the herds had been turned back by Patrolnoung.

Salt Lake to tour Dixie that long trip there we herdsmen a sound lecture on defiant herdsmen a sound lecture on the impropriety of boasting of their intention to break the law by driving stock through Parley's canyon when stock through Parley's canyon when nest prayer, but the people

Dry For Two Years.

For two years and over ution.

Commissioner Westerfield and Pa- On the fill sides where trolman Young are keeping a strict sheep had gone to graze watch and it will go hard with anyone once green, was sere, the tumn, and in all it seemed the autumn of Dixie's life was Another eleven months has by and what the almost sta

> With supreme joy the peop The weather map from the local h overs a wide range. At Cedar C

there has been some rain

far north it is in too small a o

THE BOARD OF PUBLIC WORKS CLOSES A CONTRACT. Lighter Pipe to Be Used For the

Ninth South Water Main-Speci-

1894, a judgment was rendered against the bank in favor of plaintiff for \$21, 351.81; that on April 22, 1895, David Mofications Ordered For Meters. bank to be \$159,229.59, and the nabinties \$133.734.48; that since becoming receiver McLaughlin has received from the assets of the bank \$23,195.57, disbursing this amount, and that there is in his hands \$25,495.11, which should he disbursed among the creditors of bank to be \$159,229.59, and the liabili- evening to consider matters the bank.
The petition further alleges that there is considerable property owned by the bank which, if properly administered, could be disposed of to the advantage of the creditors, and that the receiver has been very derelict in his duty in not rendering an account from time to time, by reason of which much of the property has depreciated

oounds per twelve by the specification

Many a Lover W. H. Shipman, Beardsley, Minn., under oath, says he suffered from dysw. H. Shiphander of the state of the bounder oath, says he suffered from dyspepsia for twenty-five years. Doctors and dieting gave but little relief. Finally he used Kodol Dyspepsia Cure and now eats what he likes and as much as he wants, and he feels like a new man. It digests what you eat. F. C. Schramm, McCornick block.

| C. Schramm, McCornick block. | In Drug Dept. | In Drug

### GARDNER DAILY STORE NEWS.

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Yesterday we sold Rain Garments. Today we'll sell Rain

Garments.

And by the looks of the weather Rain Garments will be in demand for a few days. Good thing this store is

always ready for all these changes. We sell Rain Garments

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Money back if you want it. Our Rain Garments start at \$2.50 and run up to

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